

EXHIBIT 11

5-02-06 Alva Lambert.txt

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1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE MIDDLE DISTRICT OF ALABAMA
3 NORTHERN DIVISION
4

5 UNITED STATES OF AMERICA,

6 vs. CASE NO: 2:05cr119-F

7 DON EUGENE SIEGELMAN,
8 RICHARD M. SCRUSHY,
9 PAUL MICHAEL HAMRICK,
and GARY MACK ROBERTS,

Defendants.

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12 EXCERPTS OF TRIAL PROCEEDINGS

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14 TESTIMONY AND PROCEEDINGS before The
15 Honorable Mark E. Fuller, United States District
16 Judge, and a jury, at the United States Federal
17 Courthouse, One Church Street, Montgomery,
18 Alabama, reported by Dee Coker, Registered
19 Professional Reporter and Commissioner for the
20 State of Alabama, commencing on Tuesday, May 2,
21 2006, commencing at approximately 9:00 a.m.

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1 (Jury present)

2 THE COURT: Mr. Franklin, is the United
3 States prepared to go forward with
4 this witness this morning?

5 MR. FRANKLIN: Yes, Your Honor.

6 THE COURT: You may proceed.

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7 A. I -- I have no knowledge of the exact amount,
8 but I'm just aware of media accounts that
9 that did take place and from Secretary of
10 state -- publication of the Secretary of
11 State's disclosure forms.

12 Q. Yes, sir. In fact, Mr. Lambert, many people
13 who are appointed not only to boards, but
14 also to cabinet positions, have either
15 contributed or played significant roles in a
16 governor's campaign?

17 A. Yes.

18 Q. And you would consider that the norm?

19 A. Yes.

20 Q. That's just Alabama politics, isn't it?

21 A. Yes, sir.

22 Q. Now, is it fair to say, Mr. Lambert, that in
23 fact, your own services and your own

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1 appointment as executive director are a
2 result of the political process?

3 A. Yes, sir. At the pleasure of the CON Board
4 and, indirectly, the Governor.

5 Q. And either one of those could replace you if
6 they so chose?

7 A. They sure could.

8 Q. Now, the appointments are totally within the
9 Governor's discretion. I believe you said
10 that.

11 A. That's correct.

12 Q. Regardless of the reasons that they are
13 appointed, regardless of any contributions or